

BEFORE THE
Federal Communications Commission
WASHINGTON, D.C. 20554

1B Dkt No. 98-21

RECEIVED

MAR 13 1998

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

DOCKET FILE COPY ORIGINAL

In re Roundtable Discussion on

DBS: STREAMLINING THE PROCESS

)
) Report No. IN 97-8
)

To: Chief, International Bureau

COMMENTS

TIME WARNER INC.

Charles S. Levy
W. Scott Blackmer
Jacquelynn Ruff

Aaron I. Fleischman
Arthur H. Harding
Mitchell F. Brecher
Terri B. Natoli

Wilmer, Cutler & Pickering
2445 M Street, N.W.
Washington, D.C. 20037-1420

Fleischman and Walsh, L.L.P.
1400 16th Street, N.W., Suite 600
Washington, D.C. 20036

Its Attorneys

Date: April 25, 1997

BEFORE THE
Federal Communications Commission

WASHINGTON, D.C. 20554

In re Roundtable Discussion on)
DBS: STREAMLINING THE PROCESS) Report No. IN 97-8

To: Chief, International Bureau

COMMENTS

Time Warner Inc. ("Time Warner"), by its attorneys, hereby submits the following Comments in response to the Commission's Public Notice, Report No. IN 97-8, DA 97-616, released March 26, 1997, soliciting public comment in connection with the International Bureau's scheduled April 25, 1997 roundtable discussion on the Commission's Direct Broadcast Satellite ("DBS") processes and procedures currently governed by Part 100 of the Commission's rules ("DBS Roundtable"). Time Warner welcomes the opportunity to submit these informal comments pursuant to the DBS Roundtable process which Time Warner understands will serve as a preliminary information gathering forum in conjunction with the Commission's plans to release a Notice of Proposed Rulemaking governing DBS licensing procedures, policies and technical matters later this year.

In light of the recent issues which have surfaced with respect to the proposed ownership, control and use of U.S.-licensed DBS satellites by foreign interests, the time is ripe for comprehensive consideration by the Commission of these issues in a rulemaking proceeding geared toward revising the current DBS rules to adopt licensing and use policies and procedures which will be consistently applied to all DBS applicants, licensees, and operators. To this end, in adopting proposed rules to govern the licensing and provision of DBS services into the 21st century, Time Warner urges the Commission to be mindful of the

separate, but intricately-related, proceeding also ongoing at this time, known as "DISCO II"^{1/} which, when ultimately concluded, will reflect the commitments made by the United States in the World Trade Organization ("WTO") Basic Telecommunications Agreement ("WTO Agreement") with respect to satellite-based services.^{2/}

While consistent U.S. satellite licensing and use policies and rules are desirable to the extent overriding U.S. policy objectives to maximize the public interest can be accomplished by such consistency, it is critical that any Commission proceeding to revise current U.S. DBS rules and policies recognize the explicit exemption made in the WTO Agreement by the U.S. with respect to DBS services. This exemption was made because many countries regulate DBS as broadcasting, not telecommunications, and restrict licensing of foreign entities and/or restrict programming from foreign sources. By exempting DBS from its open market commitments, the U.S. has retained leverage to negotiate bilaterally or multilaterally for the removal of barriers to DBS market entry by U.S. entities. To fully accomplish this goal however, the Commission must recognize that foreign access to the U.S. DBS market can occur not only through foreign-licensed DBS satellites transmitting programming into the U.S. -- the issue pending in the DISCO II proceeding -- but also through foreign control of U.S.-licensed DBS satellites and/or foreign control of programming delivered over U.S.-licensed satellites.

The policy objectives underlying the U.S. exception of DBS/DTH from its WTO offer are aimed at creating incentives for foreign nations to open their DBS and programming

^{1/}Amendment of the Commission's Regulatory Policies To Allow Non-U.S.-Licensed Space Stations To Provide Domestic and International Satellite Service In the United States, NPRM in IB Docket No. 96-111, FCC 96-210, released May 14, 1996 ("DISCO II").

^{2/}See Public Notice, Report No. IB-97-10, DA 97-683 released April 7, 1997 entitled, International Bureau To Hold Roundtable Discussion On DISCO II And WTO Basic Telecommunications Agreement.

markets to U.S. firms. Accomplishment of these objectives will require that the Commission adopt rules governing U.S.-licensed DBS satellites which allow attributable foreign ownership, control and/or use of U.S.-licensed DBS capacity, regardless of whether that capacity is used for broadcast, subscription, or other types of authorized DBS satellite services, only if the home nation of such foreign company provides reciprocal competitive opportunities to U.S. firms. Absent such a recognition, the U.S. Trade Representative's objectives in exempting DBS from the WTO Agreement will be easily undermined by the Commission's DBS regulatory policies.

In revising the current DBS rules, whether those revisions result in a stand-alone section of the rules governing DBS as currently exist in Part 100, or whether they are ultimately incorporated in Part 25 of the rules which governs all other types of satellite services, including the most recently authorized Digital Audio Radio Satellite Service ("DARS"),^{3/} Time Warner urges the Commission to incorporate in those rules specific procedures for prior Commission approval of attributable foreign ownership, control and use of all U.S.-licensed DBS capacity, based on the same type of criteria ultimately adopted to allow foreign-licensed DBS systems into the U.S. market. Such a procedure will ensure that the U.S. goal of opening foreign markets to U.S. DBS services through reciprocal access to the U.S. DBS market is not circumvented.

To this end, the Commission should defer taking action on any pending or future DBS license application involving attributable ownership, control or use of U.S.-licensed DBS capacity by foreign entities until the Commission has compiled a complete record in a formal rulemaking proceeding upon which to base a reasoned and informed decision about the effects of such foreign involvement on the U.S. DBS market as a whole.

^{3/}See In the Matter of Establishment of Rules and Policies For the Digital Audio Radio Satellite Service in the 2310-2360 MHz Frequency Band, IB Docket No. 95-91, *et al.*, FCC 97-70 Report and Order.

In the event the Commission decides to act on such applications, pending final resolution of the issues of attributable foreign interest involvement in U.S.-licensed DBS service, then, at a minimum, the Commission must condition any such application on the final outcome of the rulemaking. The Commission historically has conditioned applications granted during the pendency of rulemaking proceedings which involve issues before the Commission in those applications on the outcome of the relevant rulemaking.^{4/}

Similarly, in revising its Part 100 DBS rules in late 1995^{5/} to implement the changes in the DBS regulatory environment that had occurred since the interim DBS rules were adopted in 1983^{6/}, as well as to implement procedures for the auction of the DBS channels at 110° WL and 148° WL made available through the FCC's cancellation of Advanced Communications Corporation's ("ACC") DBS permit, the Commission adopted a concentration rule which restricted the ability of an entity holding an attributable interest (as defined by the Commission at Appendix C of its *DBS Revision Order*) in channels at one of the three full-CONUS orbital locations, *i.e.*, 110° WL, 101° WL, and 119° WL, from bidding on the 24 available full-CONUS 110° WL channels unless that entity divested itself of its other full-CONUS channels within a 12-month period thereafter.

The Commission based this concentration restriction on the perceived adverse impact that concentration of ownership and control of full-CONUS DBS spectrum might have on the

^{4/}See, e.g., In re Applications of WHFS, Inc., FCC 97-109, released March 27, 1997; In re Applications of Roy M. Speer, FCC 96-258, 3 CR 363, released June 14, 1996; and Quincy D. Jones, 11 FCC Rcd 2481 (1995).

^{5/}In The Matter Of Revision Of Rules and Policies For The Direct Broadcast Satellite Service, IB Docket No. 95-168 PP Docket No. 93-253, Report and Order, 11 FCC Rcd 9712, 1995 ("DBS Revision Order").

^{6/}See Inquiry Into the Development of Regulatory Policy in Regard to Direct Broadcast Satellites for the Period Following the 1983 Regional Administrative Radio Conference, 90 FCC 2d 676 (1982) ("DBS Interim Service Order"), *recon. denied*, 53 RR 2d 1637 (1983).

overall multichannel video programming distribution ("MVPD") market. Specifically, the Commission sought to ensure that each of the three full-CONUS DBS locations would initially be controlled by entities not sharing interests with DBS operators at the other locations in order to promote rivalry that would benefit consumer welfare.⁷¹

In adopting its concentration rule, the Commission indicated that while the rule was not intended to permanently preclude future channel combinations at multiple full-CONUS locations, it would evaluate future full-CONUS channel combinations on a case-by-case basis or pursuant to rulemaking.⁸¹ In considering revised rules to reflect the evolving DBS marketplace at this time, Time Warner believes that the Commission must continue to enforce the full-CONUS channel concentration restriction until it has had the opportunity to reexamine the state of competition in the MVPD marketplace in a formal rulemaking proceeding. Because of the finite number of full-CONUS channels, and the fact that there are no more available for assignment to a new entity at this time, a decision to permit concentration of this scarce resource prior to examining the full impact of such an action, particularly when it would be difficult to undo at a later time, could frustrate the Commission's goals with respect to competition in the MVPD market.

Indeed, less than 16 months ago, the Commission's examination of this market resulted in the conclusion that entry by additional full-CONUS DBS providers would bring vigorous competition to the MVPD market and such competition would serve the public interest.⁹¹ Moreover, the Commission stated that it is important to prevent each full-CONUS DBS operator from influencing the development of competitive services at the other

⁷¹*DBS Revision Order* at 9723.

⁸¹*Id.* at 9724.

⁹¹*Id.* at 9732.

full-CONUS orbital locations.^{10/} Until the Commission has had ample opportunity in the context of revising its DBS service rules to ensure that adverse limitations on strategic DBS video programming product differentiation will not result from a concentration of ownership of full-CONUS channels at different locations, the Commission must defer action on DBS applications which seek authority that would result in concentration of attributable full-CONUS channel interests at multiple locations. This is particularly important if the grant of such an application would enable the applicant to accomplish what it could not have otherwise done in the DBS auction held only 15 months ago with respect to acquiring attributable control over full-CONUS DBS channels at different locations.

CONCLUSION

Because the Commission currently has before it DBS applications involving foreign ownership, control and use of U.S.-licensed DBS capacity and will likely receive additional applications in the near future which raise these issues as well as the full-CONUS channel concentration issues, Time Warner urges the Commission to institute a rulemaking proceeding as soon as possible to adopt rules to address these and other relevant issues concerning permanent DBS licensing and use of U.S.-licensed DBS capacity by foreign entities or entities controlled by foreign interests prior to acting on any pending applications where these issues prevail.^{11/}

^{10/}*Id.* at 9729.

^{11/}Interrelated issues are also being addressed in the Commission's proceeding to implement Section 25 of the Cable Television Consumer Protection and Competition Act of 1992, MM Docket No. 93-25, as well as the proceeding to implement the WTO and to make any appropriate modifications to the ECO and ECO-Sat policies, as announced at the Roundtable discussion held on April 18, 1997. (See footnote 2 *supra*).

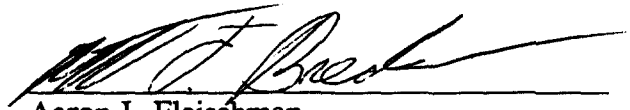
Should the Commission decline to defer action on DBS applications pending prior to the adoption of new DBS rules and policies, then at a minimum, Time Warner requests that the Commission grant such applications expressly conditioned on the outcome of its rulemaking proceedings to adopt revised DBS rules and policies as it has done in the past.

Respectfully submitted,

TIME WARNER INC.

Charles S. Levy
W. Scott Blackmer
Jacquelynn Ruff

Wilmer, Cutler & Pickering
2445 M Street, N.W.
Washington, D.C. 20037-1420



Aaron I. Fleischman
Arthur H. Harding
Mitchell F. Brecher
Terri B. Natoli

Fleischman and Walsh, L.L.P.
1400 16th Street, N.W., Suite 600
Washington, D.C. 20036
(202) 939-7900

Its Attorneys

Date: April 25, 1997

tbn/52018

CERTIFICATE OF SERVICE

I, Victoria L. Hilbun, a secretary at the law firm of Fleischman and Walsh, L.L.P., hereby certify that copies of the foregoing "Comments" of Time Warner Inc. in re Roundtable Discussion on DBS Streamlining Process were served this 25th day of April 1997, via first-class mail, postage prepaid, or hand delivery, upon the following:

Michael H. Salsbury, Esq.
Mary L. Brown, Esq.
Sanford C. Reback, Esq.
Larry A. Blosser, Esq.
MCI Telecommunications Corp.
1801 Pennsylvania Avenue, N.W.
Washington, D.C. 20006

Colin R. Green
Secretary and Chief Legal Adviser
British Telecommunications plc
BT Centre
81 Newgate Street
London EC1A 7AJ England

James E. Graf II, President
Joan M. Griffin
Cheryl Lynn Schneider
BT North America Inc.
601 Pennsylvania Avenue, N.W.
Suite 725, North Building
Washington, D.C. 20004

Joel S. Winnik, Esq.
David J. Saylor, Esq.
Hogan & Hartson L.L.P.
555 Thirteenth Street, N.W.
Washington, D.C. 20004-1109
*Counsel for British
Telecommunications plc*

Honorable Reed E. Hundt*
Chairman
Federal Communications Commission
1919 M Street, N.W., Room 814
Washington, D.C. 20554

Commissioner James H. Quello*
Federal Communications Commission
1919 M Street, N.W., Room 802
Washington, D.C. 20554

Commissioner Susan Ness*
Federal Communications Commission
1919 M Street, N.W., Room 832
Washington, D.C. 20554

Commissioner Rachelle B. Chong*
Federal Communications Commission
1919 M Street, N.W., Room 844
Washington, D.C. 20554

William E. Kennard, Esq.*
General Counsel
Federal Communications Commission
1919 M Street, N.W., Room 614
Washington, D.C. 20554

Jackie Chorney*
Senior Legal Advisor
to Chairman Reed Hundt
Federal Communications Commission
1919 M Street, N.W., Room 814
Washington, D.C. 20554

Tom Boasberg*
Legal Advisor to Chairman Reed Hundt
Federal Communications Commission
1919 M Street, N.W., Room 814
Washington, D.C. 20554

James Coltharp*
Special Advisor
to Commissioner Quello
Federal Communications Commission
1919 M Street, N.W., Room 802
Washington, D.C. 20554

Rudolfo M. Baca*
Legal Advisor
to Commissioner Quello
Federal Communications Commission
1919 M Street, N.W., Room 802
Washington, D.C. 20554

James L. Casserly*
Legal Advisor to Commissioner Ness
Federal Communications Commission
1919 M Street, N.W., Room 832
Washington, D.C. 20554

David R. Siddall*
Legal Advisor to Commissioner Ness
Federal Communications Commission
1919 M Street, N.W., Room 832
Washington, D.C. 20554

Daniel Gonzalez*
Legal Advisor to Commissioner Chong
Federal Communications Commission
1919 M Street, N.W., Room 844
Washington, D.C. 20554

Suzanne Toller*
Legal Advisor to Commissioner Chong
Federal Communications Commission
1919 M Street, N.W., Room 844
Washington, D.C. 20554

Joseph Farrell, Chief Economist*
Office of Plans and Policy
Federal Communications Commission
1919 M Street, N.W., Room 822
Washington, D.C. 20554

Greg Rosston*
Deputy Chief Economist
Offices of Plans and Policy
Federal Communications Commission
1919 M Street, N.W., Room 822
Washington, D.C. 20554

Robert M. Pepper, Chief*
Offices of Plans and Policy
Federal Communications Commission
1919 M Street, N.W., Room 822
Washington, D.C. 20554

Elliot Maxwell, Deputy Chief*
Office of Plans and Policy
Federal Communications Commission
1919 M Street, N.W., Room 822
Washington, D.C. 20554

David H. Solomon*
Deputy General Counsel
Office of General Counsel
Federal Communications Commission
1919 M Street, N.W., Room 614
Washington, D.C. 20554

John Nakahata, Acting Chief*
Competition Division
Office of General Counsel
Federal Communications Commission
1919 M Street, N.W., Room 658
Washington, D.C. 20554

Thomas Spavins, Chief Economist*
Competition Division
Office of General Counsel
Federal Communications Commission
1919 M Street, N.W., Room 658
Washington, D.C. 20554

James Earl, Competition Division*
Office of General Counsel
Federal Communications Commission
1919 M Street, N.W., Room 658
Washington, D.C. 20554

Larry Spiwak, Competition Division*
Office of General Counsel
Federal Communications Commission
1919 M Street, N.W., Room 658
Washington, D.C. 20554

Peter Cowhey, Chief*
International Bureau
Federal Communications Commission
2000 M Street, N.W., Room 800
Washington, D.C. 20554

Diane Cornell, Division Chief*
Telecommunications Division
International Bureau
Federal Communications Commission
2000 M Street, N.W., Room 800
Washington, D.C. 20554

Roderick K. Porter, Deputy Chief*
International Bureau
Federal Communications Commission
2000 M Street, N.W., Room 800
Washington, D.C. 20554

James L. Ball*
Associate Chief (Policy)
International Bureau
Federal Communications Commission
2000 M Street, N.W., Room 800
Washington, D.C. 20554

Mindel De La Torre, Deputy Chief*
Telecommunications Division
International Bureau
Federal Communications Commission
2000 M Street, N.W., Room 800
Washington, D.C. 20554

George Li, Deputy Chief (Operations)*
Telecommunications Division
International Bureau
Federal Communications Commission
2000 M Street, N.W., Room 800
Washington, D.C. 20554

Troy Tanner, Chief*
Policy and Facilities Branch
Telecommunications Division
International Bureau
Federal Communications Commission
2000 M Street, N.W., Room 800
Washington, D.C. 20554

Thomas Wasilewski, Chief*
Multilateral and Development Branch
Telecommunications Division
International Bureau
Federal Communications Commission
2000 M Street, N.W., Room 800
Washington, D.C. 20554

Mark Uretsky, Senior Economist*
Telecommunications Division
International Bureau
Federal Communications Commission
2000 M Street, N.W., Room 800
Washington, D.C. 20554

Kerry E. Murray*
Senior Legal Advisor
International Bureau
Federal Communications Commission
2000 M Street, N.W., Room 800
Washington, D.C. 20554

James Hedlund*
Telecommunications Division
International Bureau
Federal Communications Commission
2000 M Street, N.W., Room 800
Washington, D.C. 20554

Thomas Tycz, Chief*
Satellite and
Radiotelecommunication Division
International Bureau
Federal Communications Commission
2000 M Street, N.W., Room 800
Washington, D.C. 20554

Cecily C. Holiday, Deputy Chief*
Satellite and
Radiotelecommunication Division
International Bureau
Federal Communications Commission
2000 M Street, N.W., Room 800
Washington, D.C. 20554

Karl Kensinger*
Satellite and
Radiotelecommunication Division
International Bureau
Federal Communications Commission
2000 M Street, N.W., Room 800
Washington, D.C. 20554

Frank Peace, Jr.*
Satellite and
Radiotelecommunication Division
International Bureau
Federal Communications Commission
2000 M Street, N.W., Room 800
Washington, D.C. 20554

Fern Jarmulnek, Chief*
Satellite Policy Branch
International Bureau
Federal Communications Commission
2000 M Street, N.W., Room 800
Washington, D.C. 20554

Joanna Lowry*
Telecommunications Division
International Bureau
Federal Communications Commission
2000 M Street, N.W., Room 800
Washington, D.C. 20554

Brett Haan*
International Bureau
Federal Communications Commission
2000 M Street, N.W., Room 853
Washington, D.C. 20554

Regina Keeney, Chief*
Common Carrier Bureau
Federal Communications Commission
1919 M Street, N.W., Room 500
Washington, D.C. 20554

Mary Beth Richards*
Deputy Bureau Chief
Common Carrier Bureau
Federal Communications Commission
1919 M Street, N.W., Room 500
Washington, D.C. 20554

Geraldine Matise, Chief*
Network Services Division
Common Carrier Bureau
Federal Communications Commission
2000 M Street, N.W., Room 230
Washington, D.C. 20554

Kent R. Nilsson, Deputy Chief*
Network Services Division
Common Carrier Bureau
Federal Communications Commission
2000 M Street, N.W., Room 230
Washington, D.C. 20554

Les Selzer*
Network Services Division
Common Carrier Bureau
Federal Communications Commission
2000 M Street, N.W., Room 230
Washington, D.C. 20554

Donald K. Stockdale, Jr., Deputy Chief*
Policy & Program Planning Division
Common Carrier Bureau
Federal Communications Commission
1919 M Street, N.W., Room 544
Washington, D.C. 20554

Michael Pryor*
Policy & Program Planning Division
Common Carrier Bureau
Federal Communications Commission
1919 M Street, N.W., Room 544
Washington, D.C. 20554

Daniel B. Phythyon, Acting Chief*
Wireless Telecommunications Bureau
Federal Communications Commission
2025 M Street, N.W., Room 5002
Washington, D.C. 20554

Gerald P. Vaughan*
Deputy Bureau Chief
Wireless Telecommunications Bureau
Federal Communications Commission
2025 M Street, N.W., Room 5002
Washington, D.C. 20554

Rosalind Allen, Deputy Bureau Chief*
Wireless Telecommunications Bureau
Commercial Wireless Division
Federal Communications Commission
2025 M Street, N.W., Room 5002
Washington, D.C. 20554

Sandra Danner, Chief*
Wireless Legal Branch
Commercial Wireless Division
Wireless Telecommunications Bureau
Federal Communications Commission
2025 M Street, N.W., Room 7130
Washington, D.C. 20554

Karen Brinkmann*
Associate Bureau Chief
Wireless Telecommunications Bureau
Federal Communications Commission
2025 M Street, N.W., Room 5002
Washington, D.C. 20554

Walter Strack*
Acting Chief Economist
Wireless Telecommunications Bureau
Federal Communications Commission
2025 M Street, N.W., Room 5002
Washington, D.C. 20554

John Cimko, Chief*
Policy Division
Wireless Telecommunications Division
Federal Communications Commission
2025 M Street, N.W., Room 5202
Washington, D.C. 20554

Nancy Boocker, Deputy Chief*
Policy Division
Wireless Telecommunications Division
Federal Communications Commission
2025 M Street, N.W., Room 5002
Washington, D.C. 20554

David Furth, Chief*
Commercial Wireless Division
Wireless Telecommunications Division
Federal Communications Commission
2025 M Street, N.W., Room 7002
Washington, D.C. 20554

Robert H. McNamara, Chief*
Private Wireless Division
Federal Communications Commission
2025 M Street, N.W., Room 8010-E
Washington, D.C. 20554

Walter G. Boswell, Chief
Licensing Division
Wireless Telecommunications Division
Federal Communications Commission
1270 Fairfield Road
Gettysburg, PA 17325-7245

Helen E. Disenhaus
Adam Kupetsky
Swidler & Berlin, Chartered
3000 K Street, N.W., Suite 300
Washington, D.C. 20007

Mark C. Rosenblum
Elain R. McHale
AT&T Corp.
Room 3245H2
295 N. Maple Avenue
Basking Ridge, NJ 07920

William B. Barfield
Jonathan B. Banks
BellSouth Corporation
1155 Peachtree Street, N.E.
Atlanta, GA 30367

David G. Frolio
1133 21st Street, N.W.
Washington, D.C. 20036

Marlin D. Ard
Randall E. Cape
John W. Bogy
Pacific Telesis Group
140 New Montgomery Street
Room 1530A
San Francisco, CA 94105

Margaret E. Garber
1275 Pennsylvania Avenue, N.W.
Suite 400
Washington, D.C. 20004

Michael K. Kellogg
Austin C. Schlick
Jonathan T. Molot
Kellogg, Huber, Hansen, Todd
& Evans, P.L.L.C.
1301 K Street, N.W., Suite 1000 West
Washington, D.C. 20005

James D. Ellis
Robert M. Lynch
Michael J. Zpevak
SBC Communications Inc.
175 E. Houston, Room 1254
San Antonio, TX 78205

Martin E. Grambow
SBC Communications Inc.
1401 I Street, N.W., Suite 1100
Washington, D.C. 20005

Michael E. Glover
Leslie A. Vial
1320 N. Courthouse Road, 8th Floor
Arlington, VA 22201

Klaus Mai
Deutsche Telekom, Inc.
1020 19th Street, N.W., Suite 850
Washington, D.C. 20036

Werner J. Hein
Julian P. Gehman
Mayer, Brown & Platt
2000 Pennsylvania Avenue, N.W.
Washington, D.C. 20006

Hans-Willi Hefekäuser
Deutsche Telekom AG
Friedrich-Ebert-Allee 140
Bonn Germany

Jo Upward
Head of Regulatory Affairs
Energis Communications Ltd.
Carmelite
50 Victoria Embankment
London EC4Y 0DE England

Carolyn G. Morris
Assistant Director
Information Resources Division
Room 5835, JEH Building
10th and Pennsylvania Avenue, N.W.
Washington, D.C. 20535

Jeffrey P. Cunard
Debevoise & Plimpton
555 13th Street, N.W.
Suite 1100 East
Washington, D.C. 20004

Theodore W. Krauss
Danielle K. Aguto
France Telecom North America
555 13th Street, N.W., Suite 1100 East
Washington, D.C. 20004

Michael J. Shortley, III
Frontier Corporation
180 South Clinton Avenue
Rochester, NY 14646-0700

Benjamin J. Griffin
Reed Smith Shaw & McClay
1301 K Street, N.W.
Suite 1100 - East Tower
Washington, D.C. 20005-3317

Paul Schwedler
Carl Wayne Smith
Regulatory/General Counsel
Defense Information Systems Agency
(DISA)
701 South Courthouse Road
Arlington, VA 22204

Leon M. Kestenbaum
Michael B. Fingerhut
Sprint Corporation
1850 M Street, N.W., 11th Floor
Washington, D.C. 20036

Robert B. McKenna
U.S. West, Inc.
Suite 700
1020 19th Street, N.W.
Washington, D.C. 20036

Andrew D. Lipman
Robert S. Koppel
WorldCom, Inc.
15245 Shady Grove Road, Suite 460
Rockville, MD 20850-3222

International Transcription Services, Inc.*
2100 M Street, N.W., Suite 140
Washington, D.C. 20037

International Bureau*
International Reference Room
2000 M Street, N.W., Room 102
Washington, D.C. 20554

Wireless Telecommunications Bureau*
Wireless Reference Room
2025 M Street, N.W., Room 5608
Washington, D.C. 20554

Rosalee Chiara, Deputy Branch Chief*
Satellite Policy Branch
Federal Communications Commission
2000 M Street, N.W., Room 800
Washington, DC 20554

Martha Ann Clark
Strategic Plans and Policy
Defense Information Systems Agency
701 South Courthouse Road
Arlington, VA 22204-2199

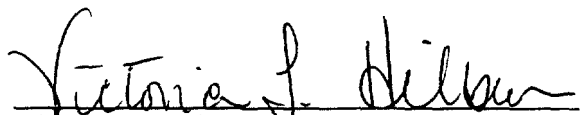
Joslyn Read*
Assistant Division Chief
Satellite & Radiocommunication Division
International Bureau
Federal Communications Commission
2000 M Street, N.W., Room 800
Washington, DC 20554

John Stern, Assistant Bureau Chief*
International Bureau
Federal Communications Commission
2000 M Street, N.W., Room 800
Washington, DC 20554

Steve Sharkey, Chief*
Satellite Engineering Branch
International Bureau
Federal Communications Commission
2000 M Street, N.W., Room 800
Washington, DC 20554

Suzanne Hutchings*
Satellite and Radiotelecommunication
Division
International Bureau
Federal Communications Commission
2000 M Street, N.W., Room 800
Washington, DC 20554

*via hand delivery


Victoria L. Hilbun